

MEMORANDUM ENDORSED

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July 27, 2020

Via ECF Only

Honorable Gregory H. Woods
United State District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States of America v. Jorge Castillo
Case No.: 19-CR-784(GHW)

Your Honor:

This office represents Jorge Castillo, the defendant in the above referenced matter which is pending before the Court. **We thank the Court for its prompt response to the our initial request.**

We write now to provide the Court with more specifics which were included in the itinerary Mr. Catillo did provide his Pre-Trial Officer, and to respectfully ask the Court to reconsider its earlier decision on this travel request.

Mr. Castillo would like to see his Daughter whom he has been apart from for over a year. He also wishes to visit with his Mother who is very sick at the moment and has been asking for him. Mr. Castillo would be returning on Delta Airlines Flight 391 on Saturday August 15th. His desired departure is on Delta Flight 493 leaving JFK Airport on Wednesday July 29th.

Mr. Castillo would be staying with his family at their home located at Street 1, ra#8, Sector San Jose, km 7 Independencia, Santo Domingo, Dominican Republic.

I have spoken to Mr. Castillo's pre-trial officer Sean Bostic, and he has advised that Pre-Trial services **will not object to this request should the Court approve same.** AUSA Wolf has indicated that the Government will take no position and defers to Pre-Trial services on the request.

**The Court's re-consideration of this request is respectfully appreciated.
Thank you.**

Yours truly,

John Russo

John L. Russo (JR6200)

Cc: AUSA Daniel H. Wolf

Application denied. This application does not provide sufficient justification for a modification of the defendant's conditions of pre-trial release. The conditions are designed to protect against the risk of flight and the risk of danger to the community; the need for those conditions does not change because the defendant wants to travel to visit family and finds the conditions burdensome. That the pre-trial services officer "will not object should the Court grant" the application is not a persuasive justification for a modification of the defendant's conditions of pre-trial release for two principal reasons: First, whether the pre-trial officer would complain after the Court granted the request is not a useful data point; the Court would be interested in the pre-trial officer's view regarding whether the Court should grant the application in the first place. This letter does not represent that the pre-trial officer is in favor of the proposal--it just says that the officer will not complain afterwards if the Court grants the request. Second, the mere fact of any pre-trial services officer's approval is not a justification--what matters is the reasoning behind any recommendation. Here, the Court does not have sufficient information to modify the prior assessment of the defendant's the risk of flight in connection with this application by the defendant to travel outside of the United States.

SO ORDERED

July 27, 2020



GREGORY H. WOODS
United States District Judge